United Nations CEDAW/C/UKR/CO/8

Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the eighth periodic report of Ukraine*

1. The Committee considered the eighth periodic report of Ukraine (CEDAW/C/UKR/8) at its 1472nd and 1473rd meetings (see CEDAW/C/SR.1472 and 1473), held on 14 February 2017. The Committee's list of issues and questions is contained in CEDAW/C/UKR/Q/8 and the responses of Ukraine are contained in CEDAW/C/UKR/Q/8/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its eighth periodic report. It also appreciates the State party's written replies to the list of issues and questions raised by the pre-sessional working group and welcomes the oral presentation of the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its delegation, which was headed by the Deputy Minister of Social Policy, Nataliia Fedorovych, and included representatives of the Ministry of Justice, the Ministry of Health, the Ministry of Education and Science, the Ministry of Defence, the Office of the Prosecutor General and the Permanent Mission of Ukraine to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2008 of the State party's combined sixth and seventh periodic reports (CEDAW/C/UKR/7) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its sixty-sixth session (13 February-3 March 2017).

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(a) Act on Preventing and Combating Domestic Violence, in 2016;

(b) Act on Combating Trafficking in Persons, in 2011.

5. The Committee welcomes the State party's efforts to improve its policy framework aimed at accelerating the elimination of discrimination against women and advancing women's rights, including the adoption of the following:

(a) Programme on the Equality of Rights and Opportunities between Men and Women (2017-2021);

(b) Concept of the National Programme on Prevention and Combating Domestic Violence (2017-2020),

(c) National Plan of Action for the implementation of Security Council resolution 1325 (2000) on women and peace and security (2016-2020);

(d) Poverty Reduction Strategy (2016-2020);

(e) National strategy on human rights and the action plan for its implementation, in 2016;

(f) State target programme to combat trafficking, in 2016.

6. The Committee welcomes the fact that, in 2015, in the period since the consideration of the previous report, the State party acceded to the International Convention for the Protection of All Persons from Enforced Disappearance.

7. The Committee welcomes the fact that the State party signed the Rome Statute of the International Criminal Court in 2000 and has accepted the jurisdiction of the Court with respect to alleged crimes committed in its territory since 20 February 2014.

C. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see the statement by the Committee on its relationship with parliamentarians, adopted at the forty-fifth session, in 2010). It invites the Verkhovna Rada, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the next reporting period under the Convention.

D. Factors and difficulties preventing the effective implementation of the Convention

9. The Committee considers that the continuing armed conflict in the State party, which is entering its fourth year, poses a challenge to the implementation of the Convention. Nevertheless, it considers that the implementation of the Convention, especially during times of conflict, is the most effective safeguard to ensure full respect for, and the enjoyment of, women's rights, given that women are a driving force of the socioeconomic development of the country. The Committee therefore calls upon the State party to implement the recommendations contained in the

present concluding observations as a matter of high priority for national mobilization and international support, giving due consideration to general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations by setting up a special coordination mechanism with all relevant State institutions at all levels, namely the Verkhovna Rada, the provincial authorities, the judiciary and other stakeholders, as well as representatives of civil society and international organisations, currently supporting the State party on its path towards a comprehensive and lasting peace.

E. Principal areas of concern and recommendations

General context

10. The Committee welcomes the State party's efforts and commitment towards peacebuilding, the consolidation of the rule of law and sustainable development. It notes that, since the beginning of the conflict, in April 2014, and the temporary occupation and unrecognized annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation (see General Assembly resolutions 68/262 and 71/205), the State party has been facing a dramatic situation marked by human suffering, economic instability and the rise of violence and insecurity. The Committee notes that hostilities continue, notwithstanding the signing of the Minsk agreements. Despite the State party's efforts, the prevailing impunity for human rights violations and abuses committed in the context of the crisis in and around the State party, in particular some areas of the Donetsk and Luhansk regions, has had a severe impact on civilians, in particular women and girls in disadvantaged situations, such as internally displaced women, rural women, older women, women with disabilities, Roma women, lesbian, bisexual and transgender women and women from other minorities. In particular, the Committee is concerned that this situation, along with pervasive corruption, has contributed to an increase in the level of violence against women by State and non-State actors and to the reinforcement of traditional and patriarchal attitudes that limit women's and girls' enjoyment of their rights. The Committee is also concerned at the lack of information on the situation in territories outside the effective control of the State party as a result of restricted access for the representatives of the Organization for Security and Cooperation in Europe and other international organizations. The Committee reminds the State party of the urgent need to strengthen the positive agenda set up to consolidate the rule of law and underlines the crucial role of women as a force for peace and for rebuilding stability.

11. **In line with its general recommendation No. 30, the Committee calls upon the State party:**

(a) **To ensure that the rule of law is enforced and that justice is delivered efficiently, without delay and with a gender-sensitive approach;**

(b) **As a priority, to establish measures to effectively combat corruption and impunity and comply with its due diligence obligation to prevent, investigate, prosecute and punish violence perpetrated against women and girls by State and non-State actors;**

(c) To provide systematic training on human rights, in particular on women's rights, to all law enforcement officials and the military and establish and enforce a strict code of conduct in order to effectively guarantee respect for human rights;

(d) In the context of the Minsk agreements, to reject demands for amnesty to be given to those persons suspected, accused or convicted of war crimes, crimes against humanity or gross violations of human rights, including conflict-related sexual violence, recalling that amnesties are impermissible if they interfere with victims' right to an effective remedy, including reparation, or if they restrict victims' and societies' right to know the truth about violations of human rights and humanitarian law.

Women and peace and security

12. The Committee notes as positive the adoption of a national plan of action for the implementation of Security Council resolution 1325 (2000) on Women and peace and security, covering the period 2016-2020. Nevertheless it is concerned that:

(a) Women have been marginalized in general and are not actively and meaningfully participating in continuing peace negotiating efforts, including the Minsk II agreements;

(b) Without the meaningful and inclusive participation of women at all stages of peace and reconstruction processes, as well as in transitional justice and national reconciliation mechanisms, women's priorities and their experiences in the conflict will not be fully integrated, as required under the Convention and Security Council resolution 1325 (2000), which could set back those processes.

13. **The Committee recalls its general recommendation No. 30 and recommends that the State party:**

(a) Place high priority on the meaningful and inclusive participation of women at all stages of the peace process and in all reconstruction initiatives, as well as in transitional justice processes, in particular decision-making, at the national and local levels, and develop capacity-building programmes for women seeking to participate in such processes;

(b) Provide opportunities for women and civil society organizations to contribute to the peace process as active participants by establishing effective channels of communication, coordination and joint initiatives for the inclusion of women's priorities;

(c) Reaffirm the non-negotiable character of all the rights under the Convention and adopt strategies to prevent any setback for women's rights in the peace negotiations;

(d) Revive and engage in a political process aimed at building a comprehensive and lasting peace, that lays the foundation for a comprehensive democracy rooted in the rule of law;

(e) Establish a road map with a clear time frame, benchmarks and a gender-responsive budget to implement the national action plan and develop indicators for the regular monitoring of its implementation;

(f) Strengthen cooperation with international organizations and the donor community.

Conflict-related sexual violence

14. While acknowledging the State party's efforts to respect its obligations under the Convention, the Committee is concerned at the exacerbation of violence against women in certain areas in the regions of Donetsk and Luhansk, as well as in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, since the conflict broke out.[1] It is concerned that, notwithstanding the underreporting of cases of sexual violence as a result of stigma and fear of reprisals, among other reasons, there is evidence of many cases of sexual violence in the conflict-affected areas. The Committee is further concerned:

(a) That the current definition of rape is outdated and does not include rape committed by force or coercion or caused by fear of violence, duress, detention, psychological oppression or abuse of power and therefore cannot be applied to conflict-related cases;

(b) That the capacity of law enforcement officials and the judiciary to investigate, document and prosecute cases of sexual violence is limited;

(c) That there is a lack of measures to provide timely and comprehensive assistance to survivors of sexual violence, such as health services, including sexual and reproductive health, psychological and legal services, livelihood support and other multisectoral services.

15. **In line with the Convention and its general recommendation No. 30, the Committee urges the State party:**

(a) To amend article 152 of the Criminal Code so as to incorporate provisions on sexual violence, including a broader definition of rape, in line with international standards, which will include the conditions "committed by force, or by threat of force, or coercion such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power against such person or another person, or by taking advantage of a coercive environment or committed against a person incapable of giving genuine consent" in order to ensure accountability for conflict-related sexual violence;

(b) To provide relevant training for legal professionals, investigators, prosecutors and police officers in order to enhance their capacity to investigate, document and prosecute sexual violence cases in accordance with the international protocol on the documentation and investigation of sexual violence in conflict;

(c) To ensure that women and girls have access to justice and adopt gender-sensitive procedures to investigate sexual violence, conduct training and

[1] Report of the United Nations Office of the High Commissioner for Human Rights on conflict-related sexual violence in Ukraine, covering the period from 14 March 2014 to 31 January 2017.

adopt gender-sensitive codes of conduct and protocols for the police and the military and build the capacity of the judiciary so as to ensure its independence, impartiality and integrity;

(d) To ensure access by women victims of sexual violence to comprehensive medical treatment, including emergency contraception and anti HIV-related medication, mental health care and psychological support provided by health professionals who are appropriately trained to detect sexual violence and treat its consequences, as well as access to forensic testing, and seek the assistance of United Nations agencies and bodies in this regard;

(e) To provide victims with transformative reparation measures that respond to women's specific needs and address structural inequities underpinning violence against women, in particular sexual violence, and prevent the recurrence of such violence;

(f) To ensure that conflict-related sexual violence is comprehensively addressed in any future transitional justice processes, encompassing the full range of judicial and non-judicial measures, including prosecution initiatives, truth-seeking, reparations programmes, institutional reform or an appropriate combination thereof, as well as comprehensive national consultations, in particular with those affected by human rights violations and abuses.

Internally displaced women

16. The Committee is concerned at the increasing number of internally displaced women and girls in the State party, who are in need of a long-term intervention to ensure, among other things, their access to basic services and protection. While noting the adoption of the Act on Ensuring the Rights and Freedoms of Internally Displaced Persons in October 2014, as well as a number of resolutions and decrees on assistance to internally displaced women, the Committee is concerned at the lack of implementation measures. The Committee is further concerned that internally displaced women, including older women, women with disabilities, Roma women and lesbian, bisexual and transgender women, are at a heightened risk of being or have been subjected to sexual violence and sexual exploitation, face the exacerbation of the already difficult living conditions and difficulties with regard to access to registration as internally displaced persons and to freedom of movement, as well as limited employment opportunities. The Committee notes the State party's efforts to continue the payment of social benefits to internally displaced persons in the conflict-affected areas. However, it is concerned that mothers and wives of killed soldiers face serious challenges accessing the social benefit payments.

17. **The Committee urges the State party to:**

(a) Address the specific needs of the different groups of internally displaced women who are subjected to multiple forms of discrimination, including widows, women with disabilities, older women, Roma women and lesbian, bisexual or transgender women, and provide long-term interventions to address the needs of internally displaced women and girls;

(b) Ensure the effective implementation of the Act on Ensuring the Rights and Freedoms of Internally Displaced Persons by issuing regulations to enable it to be made operational;

(c) Ensure that internally displaced women and girls have adequate access to health services, education, food, shelter, free movement, registration, social benefits and opportunities to secure justice and durable solutions, as well as sustainable employment opportunities.

Access to justice

18. The Committee notes with appreciation the efforts undertaken by the Ministry of Justice, as well as the fact that the Convention is invoked in courts. Nevertheless, the Committee is concerned about reports of corruption and lack of judicial independence resulting in impunity for perpetrators of acts of discrimination against women, including sexual and gender-based violence. It notes that, in practice, the justice system remains inaccessible to most women because of barriers such as corruption, lack of knowledge about their rights and the limited availability of legal aid.

19. **The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:**

(a) Continue its efforts to combat corruption and reform and strengthen the judicial system, including through the provision of systematic capacity-building to judges, prosecutors, lawyers, police officers and other law enforcement officials on the Convention, as well as on the Committee's general recommendations and its jurisprudence under the Optional Protocol;

(b) Remove any possible barriers to women's access to justice, including by ensuring free legal aid and waiving court costs for women without sufficient financial means;

(c) Allocate sufficient resources to the legal assistance fund and to non-governmental organizations facilitating women's access to justice;

(d) Enhance women's awareness of their rights and their legal literacy in all areas covered by the Convention, to enable them to claim their rights.

Definition of discrimination and legislative framework

20. The Committee is concerned that the definition of discrimination contained in article 1 of the Act on Ensuring Equal Rights and Opportunities for Men and Women implicitly differs from the terms provided for in article 1 of the Law on the Principles of Prevention and Combating Discrimination, which results in a contradictory interpretation of the term discrimination at the practical level. It is further concerned that:

(a) The new legislative reforms for the advancement of women lack adequate resources for their implementation and accountability;

(b) There is insufficient knowledge among the branches of the Government, the Verkhovna Rada and the judiciary of the rights of women under the Convention and the Optional Protocol thereto, and of the concept of substantive equality of women and men and the Committee's general recommendations;

(c) Women themselves, especially those in rural areas and those belonging to disadvantaged groups, in particular Roma women, are unaware of their rights under the Convention and thus lack the information necessary to claim them.

21. **The Committee recommends that the State party:**

(a) Harmonize its anti-discrimination legislation in order to prohibit discrimination on all grounds and to include direct and indirect discrimination in both the public and private spheres, as well as intersecting forms of discrimination, against women, in line with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention;

(b) Establish strong accountability mechanisms and allocate adequate human, technical and financial resources for the implementation of laws in accordance with the rights of women under the Constitution and the Convention;

(c) Ensure that the Convention, the Optional Protocol and the Committee's general recommendations are sufficiently known and applied by all branches of the Government, including the judiciary, as a framework for laws, court decisions and policies on gender equality and the advancement of women;

(d) Enhance women's awareness of their rights and the remedies available to them to claim violations of their rights under the Convention, and ensure that information on the Convention, the Optional Protocol and the Committee's general recommendations is provided to all women, including Roma women and rural women.

National machinery for the advancement of women

22. The Committee welcomes the adoption of plans of action and strategies on equality. It also notes with appreciation that in October 2016 the Prime Minister decided to establish a position of Commissioner on Equal Rights and Opportunities for Women and Men in the Cabinet of Ministers. While noting the ongoing reform with regard to decentralization, the Committee is concerned that there is no reference to gender equality. The Committee is concerned that the administrative reform of 2010 and the related restructuring has weakened the national machinery for the advancement of women and resulted in a lack of continuity in gender equality policies. It is also concerned at the limited capacity of the national machinery to adequately ensure the coordination of gender mainstreaming in all areas and at all levels.

23. **The Committee recommends that the State party:**

(a) Adopt a clear strategy to consolidate and reinforce the national and local capacity of the national machinery for the advancement of women and ensure that it has adequate decision-making power and human and financial resources to effectively implement the Convention and that it works in a decentralized manner for the promotion of women's human rights at all levels;

(b) Ensure effective coordination and develop a gender mainstreaming strategy that includes gender-responsive budgeting and that can be applied in

all policies and programmes at all levels with regard to various aspects of women's lives;

(c) Ensure that its national machinery develop policies and programmes aiming at achieving gender equality in a comprehensive and effective manner and within a human rights framework, and improve the collection of the data, disaggregated by sex and other relevant factors, necessary to assess the impact and effectiveness of those policies and programmes.

Temporary special measures

24. The Committee notes with appreciation the amendment to the legislation on political parties, which establishes a minimum quota of 30 per cent for women candidates on the electoral lists of political parties in the districts at the national level in legislative elections. While noting the State party's efforts to take temporary special measures in the private sector, in particular in the supervisory councils of State enterprises, the Committee is concerned, about the lack of implementation in practice of temporary special measures in the State party.

25. **In line with article 4 (1) of the Convention and recalling its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

(a) Provide capacity-building to all relevant State officials and policymakers, and to political parties in particular, on the concept of temporary special measures and adopt and implement such measures, including time bound goals and quotas, directed at achieving the substantive equality of women and men in all areas in which women are underrepresented or disadvantaged, including in public and political life, education, health and employment;

(b) Address the root causes of the weak implementation of existing temporary special measures and adopt legislation to encourage the use of temporary special measures covering both the public and private sectors.

Stereotypes

26. The Committee remains concerned at the persistence in political discourse, in the media and in society of deep-rooted patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men in the family, which perpetuate women's subordination within the family and society and are reflected in, among other things, women's educational and professional choices, their limited participation in political and public life, their unequal participation in the labour market and their unequal status in family relations. The Committee recalls that such discriminatory stereotypes are also root causes of violence against women and expresses concern that, to date, the State party has not taken sustained measures to modify or eliminate discriminatory stereotypes and negative traditional attitudes.

27. **The Committee reminds the State party that the elimination of patriarchal attitudes and discriminatory stereotypes must be led by its high-level public officials and recommends that the State party:**

(a) Put in place, without delay, a comprehensive strategy, with proactive and sustained measures targeting women and men at all levels of society, to eliminate discriminatory stereotypes and patriarchal attitudes concerning the roles and responsibilities of women and men in the family and in society;

(b) Use innovative measures targeting the media to strengthen understanding of the substantive equality of women and men and to enhance positive and non-stereotypical portrayals of women in all areas, with special emphasis on the education system.

Violence against women

28. The Committee remains concerned at the prevalence in the State party of violence against women, in particular domestic and sexual violence, which remains underreported, and the lack of statistics disaggregated by age and relationship between the victim and the perpetrator. While noting the information provided by the delegation during the dialogue that the bill on the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is currently undergoing a second reading in the Verkhovna Rada, the Committee is concerned:

(a) That domestic violence is not criminalized and there is no specific definition of gender-based violence in the State party's legislation;

(b) At the lack of shelters for victims of gender-based violence, including for women and girls with disabilities.

29. **Recalling its general recommendation No. 19 (1992) on violence against women, the Committee recommends that the State party:**

(a) Criminalize domestic violence and accelerate the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence;

(b) Take comprehensive measures to prevent and address violence against women and girls and ensure that perpetrators are prosecuted and adequately punished;

(c) Provide mandatory capacity-building programmes for judges, prosecutors, police officers and other law enforcement officials on the strict application of legislation criminalizing violence against women and on gender sensitive procedures to deal with women who are victims of violence, in particular women with disabilities;

(d) Provide adequate redress, assistance and protection to women who are victims of violence, including women and girls with disabilities, by establishing shelters, including in rural areas, and enhancing cooperation with non-governmental organizations that provide shelter and rehabilitation to victims;

(e) Collect statistical data on domestic, sexual and other forms of violence against women, disaggregated by age and the relationship between the victim and the perpetrator;

(f) Provide adequate conditions for redress and rehabilitation for women with disabilities who are victims of violence.

Trafficking and exploitation of prostitution

30. The Committee notes with appreciation the efforts undertaken by the State party to combat trafficking in persons and to protect victims of trafficking, but is seriously concerned that the growth of unemployment, corruption, the decline in standards of living of the population, the ongoing crisis and insufficient implementation of anti-trafficking legislation and related action plans create favourable conditions for the alarming situation of widespread trafficking in the State party. The Committee is further concerned at the reports of violence and discrimination against women in prostitution, which results in various forms of abuse, including extortion, beatings, exploitation of women under so-called "*subbotnik*" schemes, and rape, the limited assistance available to them and the absence of exit and reintegration programmes for women who wish to leave prostitution.

31. **The Committee recommends that the State party:**

(a) Fully enforce its legislation on trafficking in persons and increase the financial resources allocated to the implementation of laws and programmes to combat trafficking;

(b) Build the capacity of the judiciary, law enforcement officers, border control officers, social workers and health workers with respect to the early referral of victims of trafficking and gender-sensitive ways to deal with them;

(c) Address the root causes of trafficking by enhancing educational and economic opportunities for women and girls and their families, thereby reducing their vulnerability to exploitation by traffickers;

(d) Provide shelters and crisis centres specific to women, exit and reintegration programmes and alternative income-generating opportunities for women who are victims of trafficking and for women who wish to leave prostitution;

(e) Intensify efforts aimed at bilateral, regional and international cooperation to prevent trafficking in persons.

Participation in political and public life

32. The Committee welcomes the State party's efforts to increase the participation of women in political and public life, including the increase in the number of female parliamentarians. It is concerned, however, that women remain significantly underrepresented at the decision-making levels in the Verkhovna Rada, the Government and the diplomatic service, owing to persistent traditional and patriarchal attitudes, the lack of effective measures, including temporary special measures, limited access to political networks and insufficient capacity-building.

33. **The Committee reminds the State party that full participation of women is essential not only for their empowerment but also for the advancement of society as a whole, and recommends that the State party:**

(a) Adopt a global strategy based on targeted measures, including training, gender-sensitive recruitment and special measures, including temporary special measures, to ensure that women are appointed to decision-making positions at both the national and local levels, on an equal footing with their male counterparts, in line with the Committee's general recommendation No. 23 (1997) on women in political and public life;

(b) Conduct awareness-raising activities for politicians, community leaders, journalists and the general public on the importance of the participation of women in decision-making, in order to enhance understanding that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the effective implementation of the Convention, as well as the political stability and economic development of the country.

Education

34. The Committee notes with appreciation the high literacy rate among women. It also welcomes the development of a strategy for education (2020). Nevertheless, the Committee is concerned at the persistence of negative and patriarchal stereotypes of women and girls in school curricula and textbooks. The Committee is further concerned that schools offer "life skills lessons" where girls are taught cooking and sewing, while boys are taught woodworking and carpentry, a situation that also upholds traditional gender roles in society. It is concerned about the unequal access of women to the universities of the Ministry of the Interior and Defence. The Committee is also concerned at the high dropout rates among Roma girls.

35. **The Committee recommends that the State party:**

(a) Intensify its efforts to review school curricula and textbooks to eliminate negative stereotypes of women and girls;

(b) Ensure that the same curricula applies to boys and girls so that it offers the same "life skills lessons" to boys and girls, including through the use of temporary special measures;

(c) Ensure the equal access of women to the universities of the Ministry of the Interior and Defence, including through the adoption of temporary special measures;

(d) Promote access for Roma girls to education and their retention at all levels of education by raising awareness of the importance of education as a human right and as the basis for the empowerment of women, and strengthen the implementation of re-entry policies enabling Roma girls who have dropped out to return to school.

Employment

36. The Committee notes the adoption, in 2012, of the Employment Act stipulating equal opportunities for all citizens. Nevertheless, it is concerned at:

(a) The persistently wide and increasing gender pay gap in all sectors, the continued occupational segregation in the labour market and women's concentration in low-paid jobs in the formal and informal sectors;

(b) The list of occupations that are prohibited for women, which covers a wide range of occupations and branches where there is no objective justification for the prohibition, thereby limiting women's economic opportunities and access to responsibilities in a number of areas, in particular in the military, agriculture and industry;

(c) The lack of information on legislation prohibiting sexual harassment in the workplace and providing for civil and/or criminal remedies, as well as on the number of prosecutions, convictions and sentences imposed upon perpetrators;

(d) The situation of women in conflict-affected areas, where women became de facto heads of household and primary providers for their families.

37. **The Committee recommends that the State party:**

(a) Intensify its efforts to create an enabling environment for women to become economically independent, including by raising the awareness of employers in the public and private sectors of the prohibition of discrimination in employment against women, including women with disabilities, and to promote the entry of women into the formal economy, including through the provision of vocational and technical training;

(b) Effectively guarantee the principle of equal pay for work of equal value, adopt measures to narrow and close the gender pay gap and regularly review wages in sectors in which women are concentrated;

(c) Review the list of prohibited occupations and sectors and promote and facilitate the access for women to previously prohibited occupations by improving working conditions and occupational health and safety;

(d) Reinforce legislation to specifically define and prohibit sexual harassment in the workplace;

(e) Promote enterprise development and improve the access of women and girls to information technologies by enrolling them in computer literacy programmes and securing their access to new technologies;

(f) Strengthen its efforts to provide women affected by conflict, including women with disabilities, widows and women heads of household, with sustainable economic opportunities and effectively address all barriers to the equitable participation of women in the labour market;

(g) Develop economic recovery strategies that promote gender equality as a precondition for a sustainable post-conflict economy.

Health

38. The Committee welcomes the State party's initiative to reform the health-care system and to respond to the humanitarian crisis, in particular by establishing mobile emergency units for victims of violence. Nevertheless, it is concerned at the:

(a) Insufficient budget allocations to health services and the outdated health-care equipment in hospitals and medical centres;

(b) Increased rates of breast cancer in the State party, which is the leading cause of mortality in women of working age and the lack of diagnostic, prevention and mammography services;

(c) Increase in tuberculosis, sexually transmitted infections and HIV among women and the problem of alcoholism and drug addiction among women.

39. **In line with its general recommendation No. 24 (1999) on women and health, the Committee recommends that the State party:**

(a) Ensure appropriate budget allocations for health services and improve women's access to high-quality health care and health-related services;

(b) Ensure equal access to and the availability of mammograms and screening services for women throughout its territory;

(c) Intensify the implementation of strategies to combat HIV, in particular preventive strategies, and continue the provision of free antiretroviral treatment to all women living with HIV, as well as strategies to combat alcoholism and drug consumption among women;

(d) Provide effective access for women and girls to health-care information and affordable services, in particular regarding reproductive health and contraceptive methods, collect disaggregated data and provide training to medical and health professionals, in particular in rural areas.

Rural women

40. While recognizing the adoption of the new decentralization strategies in rural areas, the Committee expresses concern at the disadvantaged status of women in rural areas and regrets the limited data on their situation and the insufficient measures taken by the State party to address poverty among rural women and to fully ensure their access to justice, education, health-care services, housing, formal employment, skills development and training opportunities, income-generating opportunities and microcredit.

41. The Committee is also concerned at the precarious situation of rural women in conflict-affected areas, who often bear a disproportionate burden in those situations because their rights to productivity, livelihood and access to land are regularly violated in conflict-affected areas, as well as the lack of information on any initiatives aimed at assisting and supporting rural women affected by the conflict in the State party, in particular women heads of household, single women, widows, women with disabilities and women belonging to minorities.

42. **The Committee recommends that the State party:**

(a) Seek international assistance and cooperation, as appropriate, to improve infrastructure in rural areas and formulate policies to combat poverty among rural women to ensure their access to justice, education, housing, formal employment, skills development and training opportunities, income-generating opportunities and microcredit, and ownership and use of land, taking into account their specific needs, in line with general recommendation No. 34 (2016) on the rights of rural women;

(b) Pay due attention to the negative impact of the conflict on rural women and ensure that their specific needs are addressed and that they have equal access to basic services, infrastructure and new technologies;

(c) Study the impact of economic and social strategies for rural development on women's human rights and improve the collection of specific, disaggregated data on rural women;

(d) Design specific interventions to leverage opportunities for the economic empowerment of rural women and ensure that they are involved in the design of those strategies and programmes, focusing on women not only as victims or beneficiaries but also as active participants in the formulation and implementation of such policies.

Women with disabilities and older women

43. The Committee is concerned at the lack of public policies and measures to protect the rights of women and girls with disabilities, including their rights to inclusive education, health care, employment, housing and participation in political and public life, as well as at the absence of mechanisms to protect women and girls with disabilities from intersecting forms of discrimination and from violence and abuse. The Committee is also concerned at the alleged practice of forced sterilization of a woman recognized as legally incapable, with the consent of her guardian and without her free and informed consent. The Committee is further concerned at the situation of older women and their lack of access to health care and to protection from violence and abuse.

44. **The Committee recommends that the State party:**

(a) Adopt comprehensive policies and programmes to protect the rights of women and girls with disabilities and older women, in particular those facing intersecting forms of discrimination, ensuring their equal access to education, employment, housing, health care and other basic services and social protection and to promote their autonomy and access to community services and their participation in political and public life;

(b) Abolish the practice of forced sterilization without the free and informed consent of women with disabilities and provide remedies for victims of forced sterilization.

Lesbian, bisexual and transgender women

45. The Committee is concerned at reports of discrimination, harassment and hate speech, based on negative stereotypes, against lesbian, bisexual and transgender women and the lack of shelters for lesbian, bisexual and transgender women who are victims of violence. It is also concerned at the lack of information on health services and rights available to lesbian, bisexual and transgender women, as well as the lack of training of medical personnel with regard to their needs.

46. **The Committee recommends that the State party provide the necessary protection against discrimination and violence against lesbian, bisexual and transgender women, in particular through the adoption of anti-discrimination legislation and the revision of the existing discriminatory laws that prohibit**

intersecting forms of discrimination, and provide access to shelter and assistance for lesbian, bisexual and transgender women who are victims of violence, as well as training to medical personnel and the police and law enforcement officials.

Marriage and family relations

47. The Committee notes with appreciation that the State party raised the minimum age for marriage to 18 years for girls, but, it is concerned that the practice of marriage below that age still persists in Roma communities. The Committee is also concerned that judges often resort to mediation even in situations of domestic violence. The Committee is further concerned that gender-based violence against women in the domestic sphere is not taken into consideration by courts when ruling in cases of child custody and visitation rights.

48. **The Committee recommends that the State party:**

(a) **Enforce the strict application of the minimum age of marriage (18 years);**

(b) **Make sure that mediation is not used in situations of domestic violence;**

(c) **Adopt legislation requiring that gender-based violence against women in the domestic sphere be taken into account in child custody or visitation decisions, and raise the awareness of the judiciary of the relationship between such violence and children's development.**

Data collection

49. The Committee is concerned at the general lack of updated statistical data, disaggregated by sex, age, ethnicity, disability, geographical location and socioeconomic background, which are necessary for an accurate assessment of the situation of women, to determine whether they suffer from discrimination, for informed and targeted policymaking and for the systematic monitoring and evaluation of progress achieved towards the realization of women's substantive equality in all areas covered by the Convention.

50. **The Committee calls upon the State party to develop a gender indicator system to improve the collection of data, disaggregated by sex and other relevant factors, necessary to assess the impact and effectiveness of policies and programmes aimed at mainstreaming gender equality and enhancing women's enjoyment of their human rights. In this regard, the Committee draws the State party's attention to its general recommendation No. 9 (1989) on statistical data concerning the situation of women and encourages the State party to seek technical assistance from the relevant United Nations agencies and to enhance its collaboration with women's associations that could assist in the collection of accurate data.**

Beijing Declaration and Platform for Action

51. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention.

2030 Agenda for Sustainable Development

52. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

53. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the Verkhovna Rada and the judiciary, to enable their full implementation.

Technical assistance

54. The Committee recommends that the State party consider seeking international assistance and cooperation and availing itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations as well as the Convention as a whole. The Committee also calls upon the State party to continue its cooperation with specialized agencies and programmes of the United Nations system.

Ratification of other treaties

55. The Committee notes that the adherence of the State party to the nine major international human rights instruments[2] would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to the concluding observations

56. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 13 (a) and (f) and 29 (a) and (c) above.

[2] The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.

Preparation of the next report

57. The Committee invites the State party to submit its ninth periodic report in March 2021. In case of delay, the report should cover the entire period up to the time of its submission.

58. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I).